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# HSE Press Release

March 2019

The following information was released by the UK's Health & Safety Executive.

## Worker seriously injured on first day of work

A distribution company based in Warrington has been sentenced after an agency worker sustained serious, life-changing injuries whilst working in Cheltenham.

The worker used a pallet truck to manoeuvre the beer on the lorry to gain access to the next load on his list. He fell backwards from the raised tail lift onto the road and several kegs of beer fell and struck him. The worker suffered serious injuries including a traumatic brain injury and facial fractures requiring metal plates to be inserted into his skull.

An investigation by the Health and Safety Executive (HSE) found the worker had no previous experience in using the type of pallet truck or tail lift involved in the incident. He was not given any practical training in the safe use of this machinery, nor was he made aware of safe working practices on how the pallet truck should be used on a tail lift. H & M Distribution Limited, as an employer, failed in its duty to carry out checks on the injured person's competence and previous experience. As a consequence of their failure to make these checks, they did not provide adequate training.

H & M Distribution Limited of Newton Le Willows, Warrington pleaded guilty to breaching Regulation 3(1) of the Health & Safety at Work Act 1974. It has been fined £60,000 and ordered to pay costs of £7,203.14.

Speaking after the hearing, HSE inspector Berenice Ray said: "Employers who use agency workers or contractors have a responsibility to firstly establish the workers' competence, taking into account their level of experience and familiarity with the work and work equipment, and then provide the appropriate level of training to ensure the work is done safely. If appropriate training had been provided, the life-changing injuries sustained by the agency worker could have been prevented."

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## Serious safety breaches relating to faulty vehicle lifts

A car manufacturer has been fined after serious safety breaches relating to faulty vehicle lifts.

Hendon Magistrates' Court heard how Renault Retail Group UK Limited repeatedly failed to ensure that its vehicle lifting equipment at its sites in Coulsdon and West London was maintained in an efficient working order and in good repair. This resulted in its workers using faulty vehicle lifts which put technicians in danger.

An investigation by the Health and Safety Executive (HSE) found that Renault Retail Group UK Limited were warned that the vehicle lifts posed a danger to users but between 5 October 2015 and 29 September 2016 the company repeatedly failed to ensure its workers did not use the defective lifts.

Renault Retail Group UK Limited, Concord Road, West Avenue, pleaded guilty to breaching Regulation 5 (1) of the Provision and Use of Work Equipment Regulations 1998 (PUWER) and Regulation 10 (3) (a) of the Lifting Operations and Lifting Equipment Regulations (LOLER) 1998 and were fined £200,000 and ordered to pay costs of £17,217.84.

Speaking after the hearing, HSE inspector Jane Wolfenden said: “These breaches could have led to a very serious incident and it is fortunate nobody was injured as a result.

“This case highlights the importance of maintaining work equipment in a safe condition in order to protect workers from danger’.

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## Employee killed by overhead power line strike

A company has been fined after an employee was killed by an overhead power line strike.

A driver employed by Just Grab Services to unload material at a farm in Hertfordshire, was using the grab arm when it came into contact with an 11kv overhead power line (OHPL) and was killed.

An investigation by the HSE found that the manager of the site had identified the risk from OHPL's in a risk assessment but had failed to implement them and adequately plan construction work and to train its employees.

The site manager pleaded guilty to breaching section 3 of the Health and Safety at Work Etc Act 1974 and was fined £400,000.00 and ordered to pay costs of £17,242.33.

The HSE Stated “This was a tragic and wholly avoidable incident, caused by the failure of Options Energy Resource LLP to implement safe systems of work and to ensure that health and safety documentation was communicated and followed.”

“Every year in the UK, two people are killed and many more are injured when machinery comes into contact with, or close proximity to, overhead power lines”.

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